IN RE:

PETITION FOR VARIANCE
W/S River Neck Road, 233' N
of the c/l Cape May Road
(1935 Cape May Road)
15th Election District
5th Councilmanic District

Arthur Dickerson, et ux Petitioners * BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 97-238-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before me as a Petition for Variance for that property known as 1935 Cape May Road, located in the vicinity of River Neck Road on Middle River. The Petition was filed by the owners of the property, Arthur and Eileen Dickerson. The Petitioners seek relief from Sections 1802.3.C.1 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 70 feet; a side yard sum of 22 feet in lieu of the required 25 feet; and to approve the subject property as an undersized lot. The property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petition were Arthur R. Dickerson, property owner, Camille L. Dickerson and Wesley Southworth, nearby property owners, Buck Jones, Contractor, and Patrick O'Keefe, Zoning Consultant. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.49 acres, more or less, zoned D.R. 3.5 and is improved with a one-story dwelling, a garage and a shed. The property is a waterfront lot, approximately 50 feet wide and 430 feet deep, which fronts on Middle River. The Petitioners are desirous of razing the existing home, which has become deteriorated, and replacing same with a new, two story dwelling

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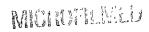
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in approximately the same location. However, the existing dwelling was built many years ago and is located 2 feet off the west side property line. Testimony indicated that constructing the new dwelling in approximately the same location will not only preserve the many mature trees located on their property, but will also reduce construction costs. The Petitioners have submitted elevation drawings of the proposed dwelling to the Office of Planning for review and approval as to its compatibility with the surrounding neighborhood. The Office of Planning has approved same and recommended the granting of the requested relief.

The Petitioners also wish to utilize the existing foundation to support the new dwelling and retain the existing basement for storage However, in order to use the existing foundation and basement purposes. area, the Petitioners must obtain approval from the Department of Public Works as the subject property is apparently located in a flood plain. Petitioners testified that if they are granted approval to utilize the existing foundation, they may wish to alter their variance requests. Specifically, the Petitioners may seek relief to permit a side yard setback of 7 feet on the west side and 14 or 15 feet on the east side, in lieu of the 10 and 12 feet shown on the plan. However, subsequent to the hearing, the Petitioners apparently discussed this matter further with their neighbor and have decided to build the proposed dwelling with setbacks as shown on the site plan. In addition, this Office received a letter dated March 25, 1997 from the Department of Public Works indicating that the location for the proposed dwelling, using the existing foundation, will be outside the 100-year tidal floodplain, and thus, is acceptable. Therefore, the Petitioners shall be permitted to use the existing



After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the <u>Baltimore County Zoning Regulations</u> (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must



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take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of March, 1997 that the Petition for Variance seeking relief from Sections 1802.3.C.1 and 304 of the Baltmore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 70 feet; a side yard sum of 22 feet in lieu of the required 25 feet; and to approve the subject property as an undersized lot, for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order;

Time San

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioners shall be permitted to utilize the existing foundation to support the new dwelling and may retain the existing basement area for additional personal use.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated December 30, 1996, attached hereto and made a part hereof.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs



COUNTY, MARYLAND BALTIMORE

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

T0:

Mr. Arnold Jablon, Director

December 30, 1996

Zoning Administration and Development Management

FROM:

R. Bruce Seeley RDS/9P

DEPRM

SUBJECT: Zoning Item #238 - Dickerson Property

1935 Cape May Road

Zoning Advisory Committee Meeting of December 16, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:TI:sp

DICKERS/DEPRM/TXTSBP

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Baltimore County Zoning Commissioner Office of Planning and Zoning

Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

March 27, 1997

Mr. & Mrs. Arthur Dickerson 1935 Cape May Road Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
W/S River Neck Road, 233' N of the c/l Cape May Road
(1935 Cape May Road)
15th Election District - 5th Councilmanic District
Arthur Dickerson, et ux - Petitioners
Case No. 97-238-A

Dear Mr. & Mrs. Dickerson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

Mr. Buck Jones 500 Vogts Lane, Baltimore, Md. 21221

DEPRM; DPW; People's Counsel

File



3 77 * 5 - 5		AUA VUIA AUIAAUU
WYLES /	to the Zoning Commi	issioner of Baltimore County
MRYLAND	for the property located at	1935 Cape May Road
		which is presently zoned DR 3. S. 3.
hereto and m	ade a part nereot, nereby petition for a Variance from	ion & Development Management.

sum of 22° in lieu of 25° and approve an undersized lot as defermined by the Zoning Commissioner.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Lot is only 50' wide, has been a lot of record since Owner wishes to raze existing 34' x 30' 1 story house that is 2' off side yard line and build a new home as shown. Existing house is in poor shape.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, under legal owner(s) of the property which is the sui	the penalties of perjury, that I/we are the piect of this Petition
Contract Purchaser/Lessee			Legal Owner(s);	
(Type or Print Name) Signature			ARTHUR DI (type-or Print Name) Rule Signature	CKERSON
Address				Leherson
Ciry	State	Zlpcode	Signature	
Attorney for Petitioner.				
(Type or Print Name) ; Signature			1935 Cape May Road Address Baltimore Md	21 2 2 1 State Zipcoge
Address	Phone No.		Name, Address and phone number of represent	Native to be contacted
	rnona no.		Name 500 Vogts Lane	574-9337
City	State	Zipcode .	Address	Phone No
		Spring Administrative by	OFFICE US ESTIMATED LENGTH OF HEARING unavailable f	1-2hr
		•	the following dates	Next Two Months
Printed with Soybean link on Recycled Paper			REVIEWED BY: 2500	DATE_ 12/6/46
8		h Kan		

EXAMPLE 3 -- Zoning Description



3 COPIES

<u>Three</u> copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the

ZONING DESCRIPTION FOR 1935 Cape May Road (address)
Beginning at a point on the West side of (north, south, east or west)
River Neck Road which is 30 (number of feet of right-of-way width)
wide at the distance of 233' North of the (number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street Cape May Road (name of street)
which is 40' wide, *Being Lot # 10 , (number of feet of right-of-way width)
Block,Section # in the subdivision of Cape May Road (name of subdivision)
as recorded in Baltimore County Plat Book #, Folio #,
containing 21035 . Also known as 1935 Cape May Road (square feet or acres) (property address)
and located in the 15 Election District, 5 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber ___, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

NOTICE OF HEARING

APIONIA SIEM ALL

The Zorining Commissioner of Baltimore County, by authority of the Zorining Act and Regulations of Baltimore County will make a public hearing on the property identified hearing on the Room 106 of the County office Building, 111, W. Cheer Pealer Avenue in Toward, 118, Out. Counthouse, 300.

Washington Avenue, Toward, Adapted 21204 as follows:

Case: #97-238-A
(Item 238)
1935 Cape May Road
W/S River Neck-Road; 233' N
of c/I Cape May Road
15th Election District
5th Councilmanic
Legal Owner(s);
Arthur Disterson and
Elleen Dicterson

Variance: to permit a lot width of 50 feet in lieu of 70 feet, a side yard sum of 22 feet in lieu of 25 feet, and approve an undersized lot as determined by the zoning commissioner. Wednesday, January 8, 1997 at 2000 p.m. in Rm. 106, County-Office Building.

COMING CONTINUESCOPE for

Rutimore County
NOTES: (7) Hearings are
Handbranned Accessible; for
special accommodations
Pease Call 887-3535;
(2) For information concerning the File and/or Hearing,
Pease Call 887-3391.

12/184 Dec.19 C10/648

CERTIFICATE OF PUBLICATION

TOWSON, MD., /3 /19

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of $\frac{1}{2}$ successive weeks, the first publication appearing on $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

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BALTIMORE COUNTY, MARYLAND
OFFICE OF FINA REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 12/4/96 ACCOUNT 61-615

RECEIVED BUIL VOIRS - 1935 Cape Min Ref.

VARIANCE AND RECEIVED FOR: CIRCLESICE Let agares

FOR: CIRCLESICE Let agares

BALTIMORE COUNTY, MARYLAND
NO. 029934

MO. 029

CERTIFICATE OF POSTING

1	RE: Case No.:
	Petitioner/Developer: BULK JONES, ETAL
	Date of Hearing/Closing: 1/8/97
altimore County Department of ermits and Development Management punty Office Building, Room 111 1 West Chesapeake Avenue pwson, MD 21204	
ttention: Ms. Gwendolyn Stephens	
adies and Gentlemen:	•
•	a set and a second sectional less layer
his letter is to certify under the penalties of pe	rjury that the necessary sign(s) required by law
ere posted conspicuously on the property loca	ated at # 1935 Cape May Rd.
	In the Law
he sign(s) were posted on	
	(Month, Day, Year)
	Sincerely, (Signature of Sign Poster and Date)
	Patrick M. O'Keefe
ZONING NOTICE TO THE REPORT OF THE PARTY OF	(Printed Name)
Case # , 07 238	•
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER	- 523 Penny Lane (Address)
PLACE 1800 104 CENT CERCO	Hunt Valley, MD 21030
TIME & BAIR INED HAN BITTI A	(City, State, Zip Code)
A STANDARY OF COURT OF SOME A STANDARY SAME TO SHAFT HIS AND THE TOWN OF THE PROPERTY SAME UNIVERSAL OF TAX TO THE TOWN ANY THAN A STANDARY SAME TOWN THE COMMENT OF THE TOWN ANY THAN A STANDARY SAME TOWN THE COMMENT OF THE TOWN THE T	(man-1410) 144 00E4
the Committee of the Co	(Telephone Number)
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#1935 CAPE MAY ROAD

MICROFILMED

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than

Format for Sign Printing, Black Letters on White Background:

238

ZONING NOTICE

Case No.:_____

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

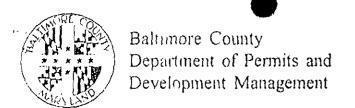
· to and a city will an + 722 to tree
TIME: to permit a lot width of 50 in him of 70' and to permit a side yard sum of 22' in him
5 and appared an unlessital lot as determine
tu Zaning Commissionic

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

TO CONFIRM HEARING CALL 887-3391.

HANDICAPPED ACCESSIBLE

9/96 post.4.doc



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

in our construction and man

- Posting fees will be accessed and paid to this office at the time of filing.
- 2). Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD JABLON, DIRECTOR
For newspaper advertising:	
Item No.: 238 Petitioner: Author	Dickerson.
Location: 1935 Cape May Road	
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: Buck Jones	
ADDRESS: 500 Vogts Lane	
Baltimore, Md 21221	
PHONE NUMBER: 410-574-9337	ngakangan daga dan alam dan

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILD PERMIT APPLICATION PURSUANT SECTION 304.2 ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

The application for your proposed Building for filing by Mitchell Kellman	Permit Application has been accepted on /2/4/96
	Date (A)
A sign indicating the proposed Building markets (15) days before a decision of \$50.00 and posting \$35.00; total \$85.00.	ust be posted on the property for can be rendered. The cost of filing is
In the absence of a request for public hear a decision can be expected within approximate demand is received by the closing date, the after the required public special hearing.	mately four weeks. However, if a valid en the decision shall only be rendered
*SUGGESTED POSTING DATE	12/15/86 D (15 Days Before C)
DATE POSTED _	
HEARING REQUESTED-YES NO DATE	
CLOSING DAY (LAST DAY FOR HEARING DEMAND)	
TENTATIVE DECISION DATE	1/4/97 B (A + 30 Days)'
 *Usually within 15 days of filing 	I
	ن الله الله الله الله الله الله الله الل
CERTIFICATE OF POSTING	
District	
Location of property:	
Posted by:Signature	Date of Posting:
Number of Signs:	
CK/UNDER.LOT (TXTSOPH)	



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	R	

INTER-OFFICE CORRESPONDENCE RECOMMENDATION FORM Director, Office of Planning and Zoning TO: Permit Number Attn: Ervin McDaniel County Courts Bldg, Rm 406 401 Bosley Av Towson, MD 21204 Amold Jabton, Director, Zoning Administration and Development Management FROM: **Undersized Lots** RE: Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit. MINIMUM APPLICANT SUPPLIED INFORMATION: 500 VOGTS LAMB 2/221 1935 CAPR MAY RO Election District 15 Council District 5 Square Feet 21035 Lot Location: N E SW) Side Decemer of NIUKh NRCh nn . 23.3 feet from (NES W corner of CAPE) bichanson Tax Account Number Telephone Number CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning) Residential Processing Fee Paid Codes 030 & 080 (\$85) 1. This Recommendation Form (3 copies) t not applial 2. Permit Application 3. Site Pian Property (3 copies) Topo Map toyollable in Rm 206 C.O.B.) intense inhel site elegrici 4. Building Elevation Drawings 5. Photographs (pieces label all photos clearly) Planny Adjoining Buildings Surrounding Neighborhood

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

KECOMMENDATION	SICOMMENTO,	
Approvel	Disapproval	Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: for the Director, Office of Pinnning & Zoning Date:

uniota.pub

DECOMMENDATIONS: COMMENTS.

TO: PUTUXENT PUBLISHING COMPANY
December 19, 1996 Issue - Jeffersonian

Please foward billing to:

Buck Jones 500 Vogts Lane Baltimore, MD 21221 574-9337

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-238-A (Item 238)

1935 Cape May Road

W/s River Neck Road, 233' N of c/l Cape May Road

15th election District - 5th Councilmanic

Legal Owner(s): Arthur Dickerson and Eileen Dickerson

Variance to permit a lot width of 50 feet in lieu of 70 feet, a side yard sum of 22 feet in lieu of 25 feet, and approve an undersized lot as determined by the zoning commissioner.

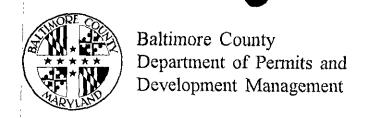
HEARING: WEDNESDAY, JANUARY 8, 1997 at 2:00 p.m. in Room 106 County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

AND WELLINED



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

December 13, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-238-A (Item 238)

1935 Cape May Road

W/s River Neck Road, 233' N of c/1 Cape May Road

15th election District - 5th Councilmanic

Legal Owner(s): Arthur Dickerson and Eileen Dickerson

Variance to permit a lot width of 50 feet in lieu of 70 feet, a side yard sum of 22 feet in lieu of 25 feet, and approve an undersized lot as determined by the zoning commissioner.

HEARING: WEDNESDAY, JANUARY 8, 1997 at 2:00 p.m. in Room 106 County Office Building.

Arnold Jablon

Director

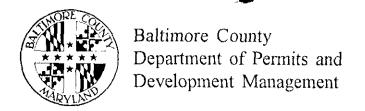
cc: Arthur and Eileen Dickerson

Buck Jones

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 24, 1996.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Mills 2011年19



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

January 6, 1997

Mr. and Mrs. Arthur Dickerson 1935 Cape May Road Baltimore, MD 21221

RE: Item No.: 238

Case No.: 97-238-A

Petitioner: Arthur Dickerson, et ux

Dear Mr. and Mrs. Dickerson:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

D. Cont Richardy

W. Carl Richards, Jr. Zoning Supervisor

WCR/re Attachment(s)

		Attach original petition	D	ue Date 12-23-96
To:		Arnold L. Jablon		
From:		J. Lawrence Pilson		
Subje	ct:	Zoning Item # 238		
		Dickerson 1935 Cape Ma	ujed.	
		Zoning Advisory Committee Me	eting of <u>\2</u>	16 G Las
	The I	Department of Environmental formments on the above-reference	Protection and sed zoning ite	Resource Management has m.
************	reque item	Department of Environmental Fests an extension for the rev to determine the extent to w he site.	/iew of the ab	ove-referenced zoning
	The l	Department of Environmental I rs the following comments on	Protection and the above-ref	Resource Management erenced zoning item:
		Development of the property the Protection of Water Qua Floodplains (Sections 14-3: County Code).	ality. Streams	, Wetlands and
		Development of this proper Conservation Regulations (Baltimore County Code).	ty must comply Sections 14-40	with the Forest 1 through 14-422 of the
		Development of this proper Bay Critical Area Regulation and other Sections, of the	ons (Sections	26-436 through 26-461,
	,	•		
				MICROFINE
				THE STANDARD OF THE SECOND

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

T0:

Mr. Arnold Jablon, Director

December 30, 1996

Zoning Administration and Development Management

FROM:

R. Bruce Seeley RDS/4P

DEPRM

SUBJECT: Zoning Item #238 - Dickerson Property

1935 Cape May Road

Zoning Advisory Committee Meeting of December 16, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:TI:sp

DICKERS/DEPRM/TXTSBP



David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County /2.13.90 Item No. 238 (MJK)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

P. J. Sredle for Ronald Burns, Chief

Engineering Access Permits

Division

LG

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE:

December 19, 1996

Permits and Development Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. (238,)244, 245, 247, 248, 249, 250, 252, 253, 255, and 256

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Division Chief:

PK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: Dec. 23, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for December 23, 1996

Item No. 238

The Development Plans Review Division has reviewed the subject zoning item. Each lot must have a fee-simple frontage to a public road.

RWB:HJO:jrb

co: File



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 12/18/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DEC. 16, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:235,236,237,238,239,240,
241 AND 242.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MONTH (T)



BALTIMORE COUNTY, MARYLAND

INTER - OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco

DATE: March 25, 1997

Deputy Zoning Commissioner

FROM:

Dave Thomas <

DPW Director's Office

SUBJECT:

Case No. 97-238-A

1935 Cape May Road

An elevation certificate (FEMA Form 81-31) for the subject property was submitted to my office. The certificate, prepared by a registered professional engineer as required, indicates the lowest grade elevation around the existing dwelling to be elev. 12.0, which is greater than the base flood elevation of 10.2 (Baltimore County Datum). This means that the site of the dwelling is outside of the 100 year tidal floodplain. The floodplain law does not prohibit basements outside of the 100-year floodplain.

This memo is being sent to your office at the request of Mr. Buck Jones of Freestate General Contractors (574-9337). By copy of this memo I am advising Mr. Jones to provide this memo and a copy of your order when applying for permits for the subject property.

If there are questions, please feel free to call me at ext. 3984.

Attachment: Elevation Certificate

DLT/s

e:\msdlt\flood\zacitems\bucjones.doc

cc: Bob Bowling, Development Plan Review

Buck Jones Freestate General Contractors 500 Vogts Lane Baltimore, MD 21221

I facility of the second

	INTER-OFFIC	E CORRESPONDENCE	,,
	·	ENDATION FORM	
TO:	Director, Office of Planning and Zoning	ENDATION FORM PROPERTY E	
	Attn: Ervin McDaniel	·	Permit Number
	County Courts Bldg, Rm 406		
	401 Bosley Av	DEC 12 1996	
	Towson, MD 21204		
FROM:	Arnold Jablon, Director, Zoning Administration and Deve	olopment Management OFFICE OF	
	-	PLANNING PLANNING	4" ¿)
RE:	Undersized Lots	· reading (2)	A PARTY
	Pursuant to Section 304.2(Baltimore County Zoning Req	rulations) effective June 25, 1992; this office is re	questing recommenda-
tions and	comments from the Office of Planning & Zoning prior to		· -
MINIMUM	APPLICANT SUPPLIED INFORMATION:		
_ B	UCH JONES 500 VOCT	5 UANK 21221 574-	9337
Print Ke	ime of Applicam Address	Talephane Number	
□ Lot Ac	dress 1935 CAPE MAY RD.	Election District <u>15</u> Council District <u>5</u> Sq	oare feet <u>2/035</u>
LOT LO	cation: N E S(W)/Side / corner of NIVEN NECH ND	(street)	
	nother well as	Tax Account Number 15-15238	320190
Land O	WHET AUTHOR BICKENSON	Tax Account Namber	7.57.70
Addre	" 1935 CAPK MAY ho.	Telephone Number 574-	9337
A	BALT MD 21221		
	BALL MA LICE		
	CHECKLIST OF MATERIALS: (to be submitted for design review	w by the Office of Planning and Zoning)	
_	CHECKEGO OF MATERIALS TO DO BUDITATION OF GOODSTITOTIC	PROVIDED?	
			Residential Processing Fee Part
		YES NO I	Codes 030 & 080 (\$85)
	1. This Recommendation Form (3 copies)	Lat applied - IA	ccepted by 7500
	2. Permit Application	* (° ')	ZADM
	2. Parmit Application	- lot applied - A	ale 12/4/16
	3. Site Plan		un
	Property (3 copies)	<u> </u>	
		<u>/</u> _ !-	
	Topo Map (evollable in Rm 206 C.O.B.) (2 copies) (please tabel site clearly)	<u></u>	
	(bisan missi mis cidatri)		
	4. Building Elevation Drawings	<u></u>	

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

5. Photographs (please label all photos clearly) Adjoining Buildings

Surrounding Neighborhood

Approval conditioned on required modifications of the permit to conform with the following

recommendations:

MICROFILMED

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDIN PERMIT APPLICATION PURSUANT TO ECTION 304.2 ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

County Office Building

111 W. Chesapeake Avenue Towson, Maryland 21204

The application for your proposed Building		
for filing by	Date (A)	
A sign indicating the proposed Building fifteen (15) days before a decision \$50.00 and posting \$35.00; total \$85.00.	must be posted on the proper can be rendered. The cost of f	erty for Filing is
In the absence of a request for public he a decision can be expected within approx demand is received by the closing date, t after the required public special hearing	imately four weeks. However, if hen the decision shall only be	a valid
*SUGGESTED POSTING DATE	D (15 Days Bei	Fore C)
DATE POSTED		
HEARING REQUESTED-YESNODATE		
CLOSING DAY (LAST DAY FOR HEARING DEMAND)	C (B-3 Work Da	(ay£
TENTATIVE DECISION DATE	B (A + 30 Days	s)′.
 *Usually within 15 days of filin 	រជ	
•		
CERTIFICATE OF POSTING	, , , , , , , , , , , , , , , , , , , ,	
District		
Location of property:		
Posted by: Signature	Date of Posting:	
Number of Signs:		
CK/UNDER.LOT (TXTSOPH)		

RE: PETITION FOR VARIANCE	*	BEFORE THE
1935 Cape May Road, W/S River Neck Road,		
233' N of c/l Cape May Road	*	ZONING COMMISSIONER
15th Election District, 5th Councilmanic		
	*	OF BALTIMORE COUNTY
Arthur and Eileen Dickerson		
Petitioners	*	CASE NO. 97-238-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zinneinen
PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

aule S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of January, 1997, a copy of the foregoing Entry of Appearance was mailed to Buck Jones, 500 Vogts Lane, Baltimore, MD 21221, representative for Petitioners.

PETER MAX ZIMMERMAN

Mayo Zimmemar

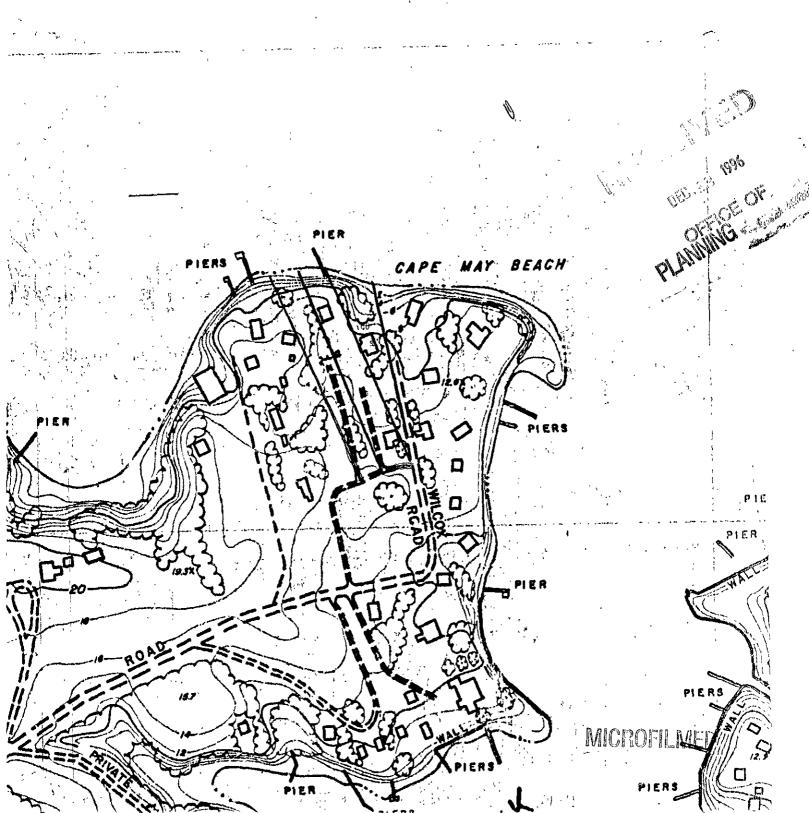
PETITIONER(S) SIGN-IN SHEET

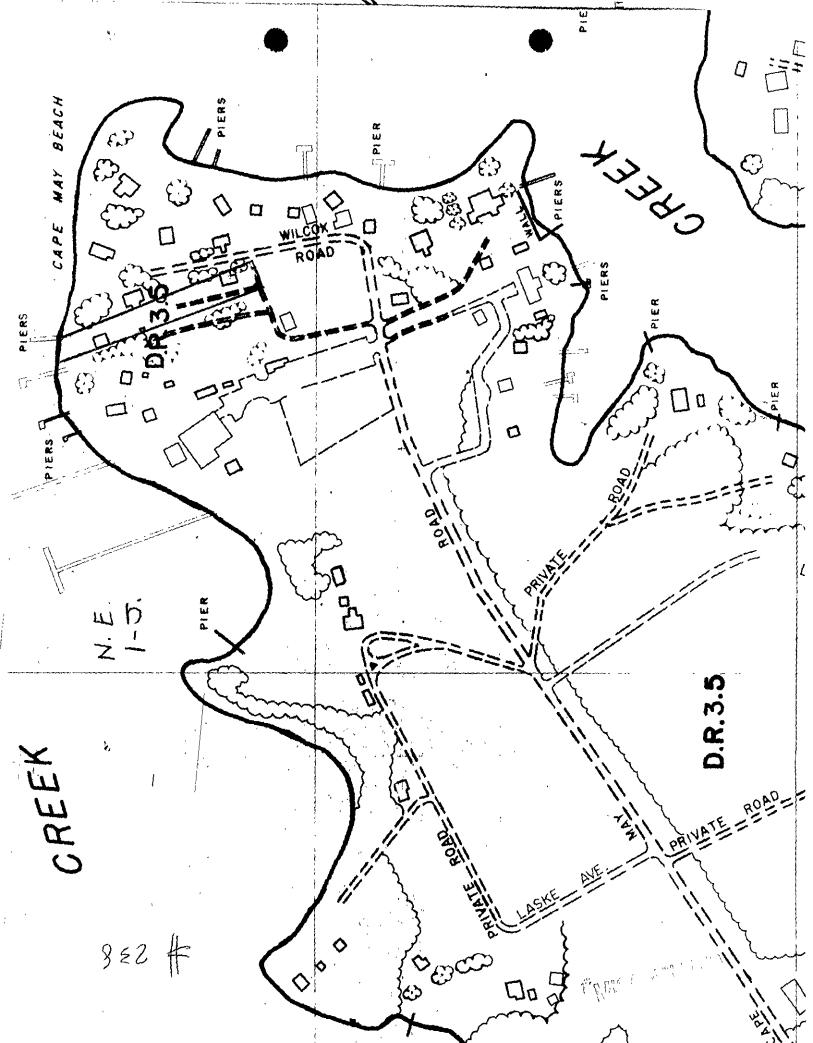
NAME	ADDRESS
PRTHUR R. DICKERSON	1925 CADE MAY RO. 21221
Camille L. DICKERSON	116 long Cove lane 21321
WESLEY SOUTHWORTH	,1
BUCK JONES	500 VOGTS LANE
100011 00111	BALT. MD 2122/
52-0.02 cult-18-	523 PENNYLA NONT VALLE
PATRICK- O'KEETE	503 PENNITURI WONT VALLE
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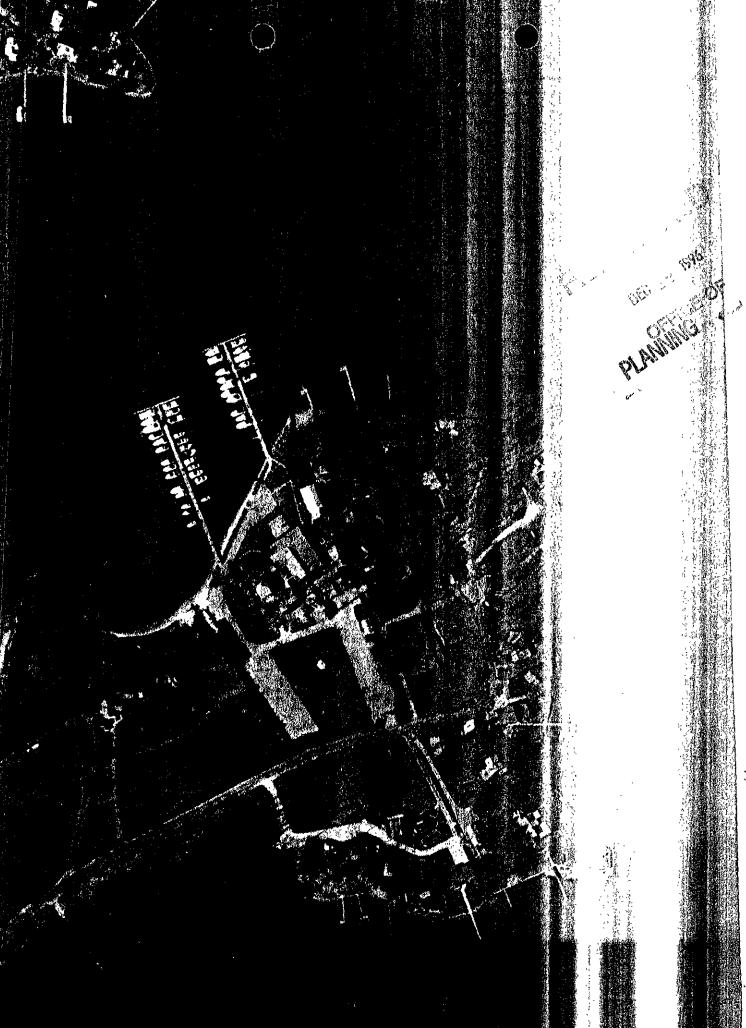
MIDO

BARREN POINT

238

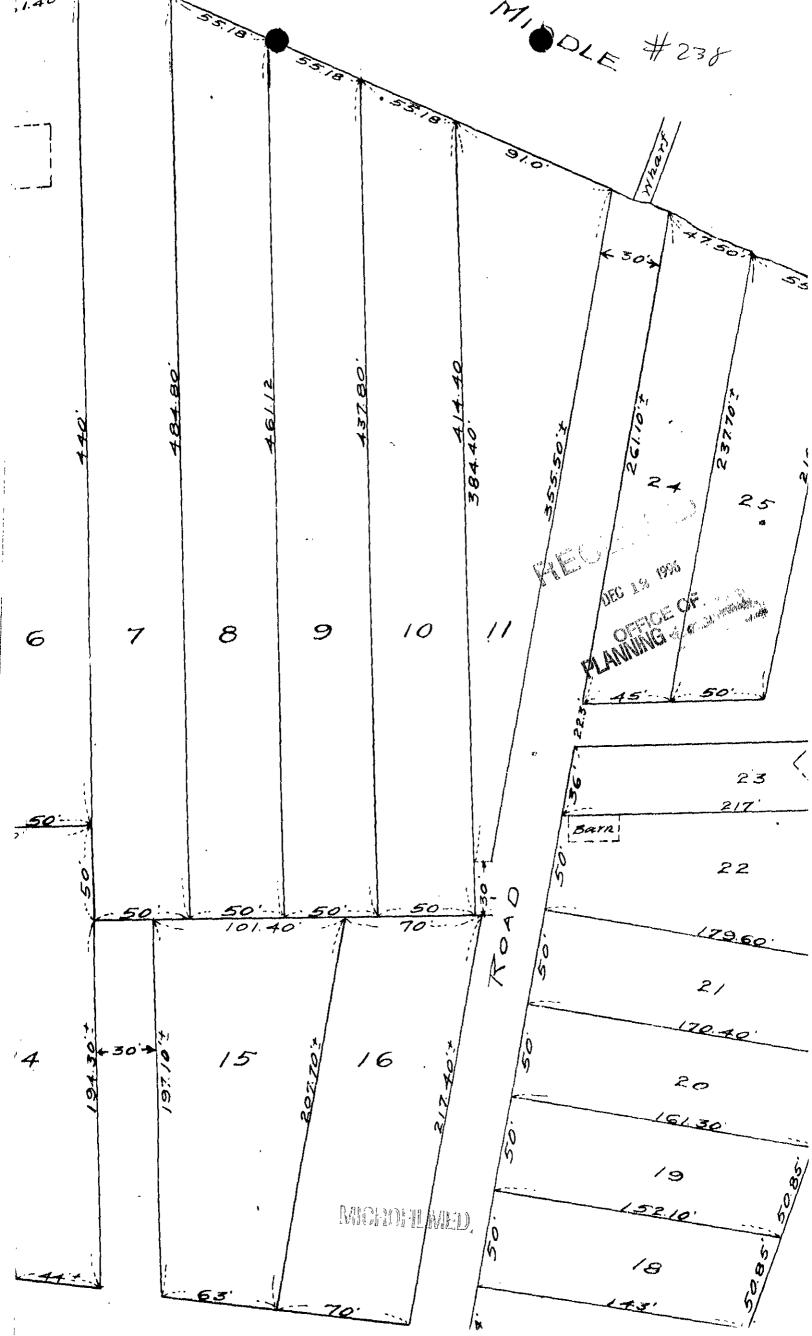


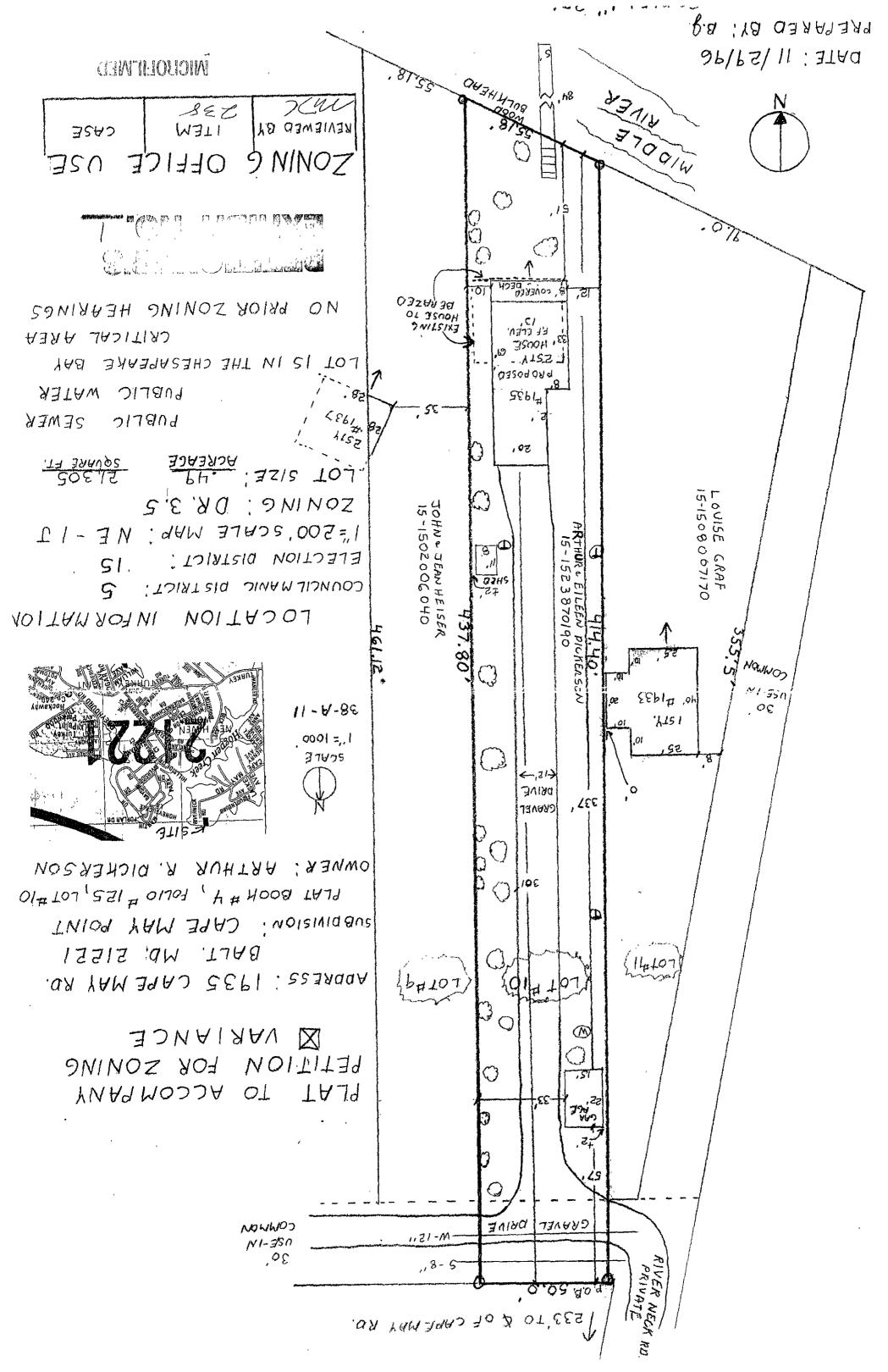




852 #

8





ELEVATION CERTIFICATE

FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM

ATTENTION: Use of this certificate does not provide a waiver of the flood Insurance purchase requirement. This form is used only to provide elevation information necessary to ensure compliance with applicable community floodplain management ordinances, to determine the proper insurance premium rate, and/or to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR).

Instructions for completing this form can be found on the following pages.

	SECTION A PR	OPERTY INFO	PRMATION		FOR INSURANCE COMPANY USE		
BUILDING OWNER'S NAME		POLICY NUMBER					
ARTHUR		ICKERS					
STREET ADDRESS (Including Ap	CAPE	Number) OR P.O. F	ROUTE AND BOX NUMBER		COMPANY NAIC NUMBER		
OTHER DESCRIPTION (Lot and I		P.B.	4 F.12				
BALTO.				MD,	ZIP CODE 2122/		
	SECTION B FI	OOD INSURA	NCE RATE MAP (FIRM)	INFORMATION			
Provide the following from the	ne proper FIRM (See	Instructions):					
1. COMMUNITY NUMBER	2. PANEL NUMBER	3. SUFFIX	4. DATE OF FIRM INDEX	5. FIRM ZONE	6. BASE FLOOD ELEVATION		
2400100445C	0445C	<u> </u>	11/17/93	B	(in AO Zones, use depth)		
7. Indicate the elevation datum system used on the FIRM for Base Flood Elevations (BFE): NGVD '29 to other (describe on back) 8. For Zones A or V, where no BFE is provided on the FIRM, and the community has established a BFE for this building site, indicate the community's BFE:							
· · · · · · · · · · · · · · · · · · ·	SECTION	ON C BUILDI	NG ELEVATION INFORM	IATION			
 (c). FIRM Zone A (without below (check one) (d). FIRM Zone AO. The fone) the highest grade level) elevated in accost. Indicate the elevation dat under Comments on Pagthe FIRM [see Section Between Page 1] 	s at an elevation of L BFE). The floor used the highest grade ac loor used as the refer adjacent to the build rdance with the commum system used in dee 2). (NOTE: If the conver-	d as the referer ljacent to the b rence level fron ing. If no flood nunity's floodpl etermining the elevation datun	feet NGVD (or other FIR nee level from the selected uilding. In the selected diagram is depth number is available ain management ordinance.	M datum-see Sed diagram is Lided in the diagram is Lided in the diagram is carried in the diagram is carried in the diagram in the diagram is different in the diagram in the diagram in the diagram is different in the diagram in the	cotion B, Item 7). I leet above or ove or below (check is lowest floor (reference) No Unknown ID '29 Other (describe) rent than that used on		
equation under Commen Flevation reference mark		RM: To Vac T	No (See Instructions or	Page 4)			
4. Elevation reference mark used appears on FIRM: Yes No (See Instructions on Page 4) 5. The reference level elevation is based on: actual construction construction drawings (NOTE: Use of construction drawings is only valid if the building does not yet have the reference level floor in place, in which case this certificate will only be valid for the building during the course of construction. A post-construction Elevation Certificate will be required once construction is complete.)							
6. The elevation of the lowest grade immediately adjacent to the building is: \(\bigcup \bigc							
	SI	CTION D CC	MMUNITY INFORMATIO	N			
If the community official responsible for verifying building elevations specifies that the reference level indicated in Section C, Item 1 is not the "lowest floor" as defined in the community's floodplain management ordinance, the elevation of the building's "lowest floor" as defined by the ordinance is:							

SECTION C Building Elevation Information

- Item 1. The Elevation Certificate uses a building's reference level as the point for measuring its elevation. Pages 5 and 6 of this Elevation Certificate package contain a series of eight diagrams of various building types that are to be used to help determine the reference level. Choose the diagram that best represents this building, record the diagram number, and use the indicated reference level to measure the elevation as requested in Items 2a-d.
- Item 2. Depending on the property location's FIRM Zone, complete Item 2a, 2b, 2c, or 2d. Use the reference level shown in the appropriate building diagram as the point of measurement. As shown in the diagram on the back of the Certificate, for all A Zones, the elevation should be measured at the top of the reference level floor. For all V Zones, the elevation should be measured at the bottom of the lowest horizontal structural member of the reference level floor. Reporting of elevations in Items 2a and 2b should be to the nearest tenth of a foot, or alternatively, unless prohibited by state or local ordinance, the reference level elevation may be "rounded down" to the nearest whole foot ("rounding up" is prohibited).
- Item 2(a). For structures located in FIRM Zones A1-A30, AE, AH, and A (with BFE's), record the elevation (to the nearest tenth of a foot) of the top of the floor identified as the reference level in the applicable diagram.
- Item 2(b). For structures located in FIRM Zones V1-V30, VE, and V (with BFE's), record the elevation (to the nearest tenth of a foot) of the bottom of the lowest horizontal structural member of the floor identified as the reference level in the applicable diagram.
- Item 2(c). For structures located in FIRM Zone A (without BFE's), record the height (to the nearest tenth of a foot) of the top of the floor indicated as the reference level (from the applicable diagram) above or below the highest adjacent grade immediately next to the building.
- Item 2(d). For structures located in FIRM Zone AO, the FIRM will show the base flood depth. For locations in FIRM Zone AO record the height (to the nearest tenth of a foot) of the top of the floor identified as the reference level (from the applicable diagram) above or below the highest adjacent grade immediately next to the building. For post-FIRM buildings, the community's floodplain management ordinance requires that this value equal or exceed the base flood depth provided on the FIRM. For those few communities where this base flood depth is not available, the community will need to determine if the lowest floor is elevated in accordance with their floodplain management ordinance.
- Item 3. Record the vertical datum system used in identifying the reference level elevations for all buildings. If the datum used in measuring the elevations is different than that used on the FIRM, then convert the elevations in Items 2a-d to the datum used on the FIRM, and show the conversion equation under the Comments section on Page 2.
- Item 4. Indicate if the elevation reference mark used appears on the FIRM. Reference marks other than those shown on the FIRM may be used for elevation determinations. In areas experiencing ground subsidence, the most recently adjusted reference mark elevations must be used for reference level elevation determinations.
- **Item 5.** Indicate if the reference level used in making the elevation measurement is based on actual construction or construction drawings. Construction drawings should only be used if the building does not yet have the reference level floor in place, in which case the Elevation Certificate will only be valid for the building during the course of construction. A post-construction Elevation Certificate will be needed once construction is complete.
- **Item 6.** Record the elevation measurement of the lowest grade adjacent to the building (to the nearest tenth of a foot). Adjacent grade is defined as the elevation of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure. This measurement should be to the nearest tenth of a foot if this Certificate is being used to support a request for a LOMA/LOMR.

SECTION D Community Information

Completion of this section may be required by the community in order to meet the minimum floodplain management requirements of the NFIP. Otherwise, completion of this section is not required.

Item 1. The community's floodplain management ordinance requires elevation of the building's "lowest floor" above the BFE. For the vast majority of building types, the reference level and the lowest floor will be the same. If the community determines that there is a discrepancy, record the elevation of the lowest floor.

Item 2. Enter date. These terms are defined by local ordinance,

SECTION E Certification

Complete as indicated. The Elevation Certificate may only be signed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE's), V1-V30, VE, and V (with BFE's) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information may also sign this certification. In the case of Zones AO and A (without BFE's), a building official, a property owner, or an owner's representative may sign this certification.

Certification is normally to the information provided in Sections B and C. If the certifier is unable to certify to the selection of reference level diagram 6, 7 or 8 (Section C, Item 1), e.g., because of difficulty in obtaining construction or building use information needed to determine the Distinguishing Feature(s), the certifier must list the Feature(s) excluded from the certification under Comments on Page 2. The diagram number used for the Reference level must still be entered in Section C, Item 1.

THE NATIONAL FLOOD INSURANCE PROGRAM ELEVATION CERTIFICATE

PURPOSE OF THE ELEVATION CERTIFICATE

The Elevation Certificate is an important administrative tool of the National Flood Insurance Program (NFIP).

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt a floodplain management ordinance containing certain minimum requirements intended to reduce future flood losses. One such requirement is that the community "obtain the elevation of the lowest floor (including basement) of all new and substantially improved structures, and maintain a record of all such information." The Elevation Certificate is one way for a community to comply with this requirement.

The Elevation Certificate is also required to properly rate post-FIRM structures, which are buildings constructed after publication of the Flood Insurance Rate Map (FIRM), for flood insurance in FIRM Zones A1-A30, AE, AO, AH, A (with Base Flood Elevations [BFE's]), V1-V30, VE, and V (with BFE's). In addition, the Elevation Certificate is also needed for pre-FIRM structures being rated under post-FIRM flood insurance rules.

Use of this certificate does not in any way alter the flood insurance purchase requirement. The Elevation Certificate is only used to provide information necessary to ensure compliance with applicable community floodplain management ordinances, to determine the proper flood insurance premium rate, and/or to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR). Only a LOMA or LOMR from the Federal Emergency Management Agency (FEMA) can amend the FIRM and remove the Federal requirement for a lending institution to require the purchase of flood insurance. Note that the lending institution may still require flood insurance.

This certificate is only used to certify the elevation of the reference level of a building. If a non-residential building is being floodproofed, then a Floodproofing Certificate must be completed in addition to certifying the building's elevation. Floodproofing of a residential building does not after a community's floodplain management elevation requirements or affect the insurance rating unless the community has been issued an exception by FEMA to allow floodproofed residential basements.

INSTRUCTIONS FOR COMPLETING THE ELEVATION CERTIFICATE

The Elevation Certificate is to be completed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE's), V1-V30, VE, and V (with BFE's) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information may also complete this form. For Zones AO and A (without BFE's), a building official, a property owner, or an owner's representative may also provide the information on this certification.

SECTION A Property Information

The Elevation Certificate identifies the building, its owner and its location. Provide the building owner's name(s), the building's complete street address, and lot and block number. If the property address is a rural route or PO box number, provide a legal description or an abbreviated location description based on distance from a reference point.

SECTION B Flood Insurance Rate Map Information

In order to properly complete the Elevation Certificate, it is necessary to locate the building on the appropriate FIRM, and record the appropriate information. To obtain a FIRM, contact the community or call 1-800-333-1363.

The Elevation Certificate may be completed based on either the FIRM in effect at the time of the certification or the FIRM in effect when construction of the building was started.

Items 1 - 6. Using the FIRM Index and the appropriate FIRM panel for the community, record the community number, panel (or page) number, suffix, and Index date. From the appropriate FIRM panel, locate the property and record the zone and the BFE (or flood depth number) at the building site. BFE's are shown on a FIRM for Zones A1-A30, AE, AH, V1-V30, and VE; flood depth numbers are shown for Zone AO.

Item 7. Record the vertical datum system to which the elevations on the applicable FIRM are referenced. The datum is specified in the upper right corner of the title block of the FIRM.

1 / 1;

Item 8. In A or V Zones where BFE's are not provided on the FIRM, the community may have established BFE's based on data from other sources. For subdivisions and other development greater than 50 lots or 5 acres, establishment of BFE's Is required by community floodplain management ordinance. When this is the case, complete this item.

Page 3

JAEGTION E CERTIFICATION JUST

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Information when the elevation int	Officiation for Edition VI - 700, ve	4.5.4.4.5.4.4.3.118161514174174010752	ement information, may also sign the	
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vel diagrams 6, 7 and 8 - Distinguishing Features-If the certifier is unable to certify to breaksway/non-breaksway wall, enclosure size, location of servicing equipment, area use, wall openings, or unlinished area Feature(s), then list the Feature(s) not included in the certification under Comments below. The diagram number, Section(C) liem, 1, must believe antaled.

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I certify that the information in Sections B and C on this certificate represents my best efforts toundered eath available. So understand that any false statement may be punishable by line of imprisonment under 18 U.S. Code, Section 1001

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Copies should be made of this Certificate for 1) community officials 2) insuffice agent/company and 3) building owner. The

COMMENTS NOTEMOWEST

I leat NGVD (or other th 1 11 17 10:00 VI-V30, VE, and V (with B) [1] the entered diagram, is at an elevation of the things We eaction B, item 7): a other FFRM de

(without BFE). The floor used as the reference leel above . 1961 Peal Callett 1964

heck one), the bighest reade adjacent to the THE HIT WESTER AS THE FOR TORICA LOVE HORE al magnatife stants in Or below (Cherk aheat BINNUIS ROABERS to the building. If no flood . THEMSERE 1 th 10's lowBABillnor (reference Uni aldelieve ni i to accordance with the community's floodplain A savety standards as a savety sa nwowinu olv. ant ordinance? tion deturn eyerem and the ebanding the eban eanos canos describer (describe o level alovatico suring the abovance of the and than that we are an then convoir the secutions in the m system used on the BriM ani∭in∏ ests on FIRM: Yes Fright on Strain of the Country o אינין שואס מראטורניין drawij M M COBIC III T REFERENCE the building during the . . iiiii Elevation Cerificate [1] Z G feet to Vity (or other FIRM defunition) mediately adjacent to the bulleting or

The diagrams above Illustrate the points at Which the elevations should be Webstred in A Zones and V Zones

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FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM

ELEVATION CERTIFICATE

AND

INSTRUCTIONS

Note: In all A Zones, the reference level is the top of the lowest floor; in V Zones the reference level is the bottom of the lowest horizontal structural member (see diagram on page 2). Agents should refer to the Flood insurance Manual for instruction on lowest floor definition.

DIAGRAM NUMBER 5

ALL BUILDINGS, INCLUDING MANUFACTURED (MOBILE) HOMES ELEVATED ON PIERS, POSTS, COLUMNS, SHEAR WALLS, WITH OR WITHOUT PARKING AREA BELOW ELEVATED FLOOR.

Distinguishing Feature - For all zones, the area below the elevated floor is open, with no obstruction to the flow of flood waters (open wood lattice work or readily removable insect screening is permissible).

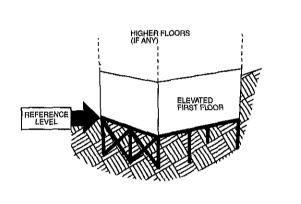


DIAGRAM NUMBER 6

ALL BUILDINGS, INCLUDING MANUFACTURED (MOBILE) HOMES ELEVATED ON PIERS, POSTS, COLUMNS, SHEAR WALLS, WITH OR WITHOUT PARKING AREA BELOW ELEVATED FLOOR.

Distinguishing Feature - For V Zones only, the area below the elevated floor is enclosed, either partially or fully, by solid breakaway walls.** When enclosed area is greater than 300 square feet or contains equipment servicing the building, use Diagram Number 7; this will result in a higher insurance rate. The enclosed area can be used for parking, building access or limited storage.

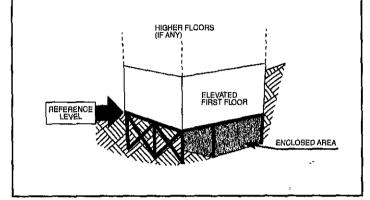


DIAGRAM NUMBER 7

ALL BUILDINGS, INCLUDING MANUFACTURED (MOBILE) HOMES ELEVATED ON PIERS, POSTS, COLUMNS, SHEAR WALLS, SOLID NON-BREAKAWAY WALLS, WITH OR WITHOUT PARKING AREA BELOW ELEVATED FLOOR.

Distinguishing Feature - For all zones, the area below the elevated floor is enclosed, either partially or fully, by solid <u>non</u>-breakaway walls, <u>or</u> contains equipment servicing the building. For V Zones only, the area is enclosed, either partially or fully, by solid breakaway walls** having an enclosed area greater than 300 square feet. For A Zones only, with an area enclosed by solid walls having proper openings,*** and used only for parking, building access, or limited storage, use Diagram Number 8 to determine the reference level.

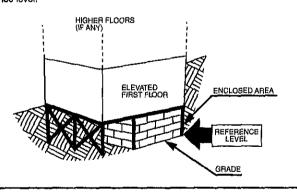
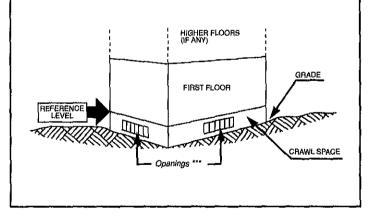


DIAGRAM NUMBER 8

ALL BUILDINGS CONSTRUCTED ABOVE AN UNFINISHED SPACE, INCLUDING CRAWL SPACE.

Distinguishing Feature - For A Zones only, the area below the first floor is enclosed by solid or partial perimeter walls, is unfinished, and contains no equipment servicing the structure. The area can be used for parking, building access, or limited storage.



- Under the National Flood Insurance Program's risk classification and insurance coverage, a floor that is below ground level (grade) on all sides is considered a basement even though the floor is used for living purposes, or as an office, garage, workshop, etc.
- ** Solid breakaway walls are walls that are not an integral part of the structural support of a building and are intended through their design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation. An area so enclosed is not secure against forceable entry.
- *** If the area below the lowest floor is fully enclosed, then a minimum of two openings are required with a total net area of at least one square inch for every square foot of area enclosed with the bottom of the openings no more than one foot above grade. Alternatively, certification may be provided by a registered professional engineer or architect that the design will allow equalization of hydrostatic flood forces on exterior walls. If neither of these criteria are met, then the reference level is the lowest grade adjacent to the structure.

The following 8 diagrams contain descriptions of various types of buildings. Compare the features of your building with those shown in the diagrams and select the diagram most applicable. Indicate the diagram number on the Elevation Certificate (Section C, Item 1) and complete the Certificate. The reference level floor is that level of the building used for underwriting burposes.

NOTE: In all A Zones, the reference level is the top of the lowest floor; in V Zones the reference level is the bottom of the lowest horizontal structural member (see diagram on page 2). Agents should refer to the Flood Insurance Manual for instruction of the lowest floor definition.

DIAGRAM NUMBER 1

ALL SINGLÉ AND MULTIPLE FLOOR BUILDINGS (OTHER THAN SPLIT LEVEL), INCLUDING MANUFACTURED (MOBILE) HOUSING AND HIGH RISE BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSE, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The first floor is not below ground level (grade) on all sides*. This includes "walkout" basements, where at least one side is at or above grade. (Not illustrated)

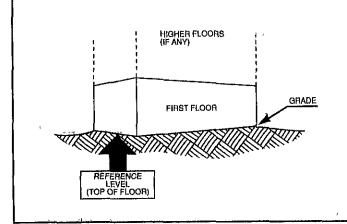


DIAGRAM NUMBER 2

ाज**ा**त्रकात :

ALL SINGLE AND MULTIPLE FLOOR BUILDINGS (OTHER THAN SPLIT LEVEL), INCLUDING MANUFACTURED (MOBILE) HOUSING AND HIGH RISE BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSES, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The first floor *or* basement (including an underground garage*) is below ground level (grade) on *all* sides*.

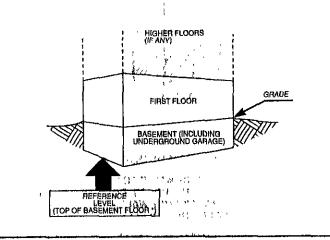


DIAGRAM NUMBER 3

ALL SPLIT LEVEL BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSES, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The lower level is not below ground level (grade) on all sides*. This includes "walkout" basements, where at least one side is at or above grade.

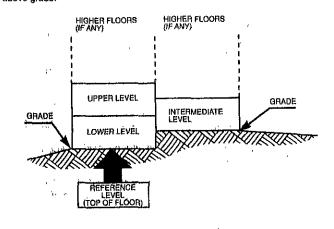
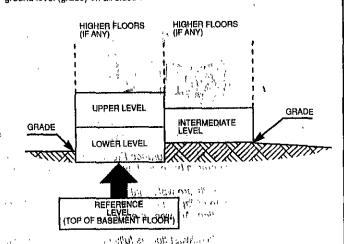


DIAGRAM NUMBER 4

ALL SPLIT LEVEL BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSES, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The lower level (or intermediate level) is below ground level (grade) on all sides*.



^{*} Under the National Flood Insurance Program's risk classification and insurance coverage, à fjoor that is below ground level (grade) on all sides is considered a basement even though the floor is used for living purposes, of as an office, garage, workshop, etc.

PAPERWORK BURDEN DISCLOSURE NOTICE

GENERAL - This information is provided pursuant to Public Law 96-511, (The Paperwork Reduction Act of 1980, as amended), dated December 11, 1980, to allow the public to participate more fully and meaningfully in the Federal paperwork review process.

AUTHORITY - Public Law 96-511, amended; 44 U.S.C. 3507; and 5 CFR 1320

DISCLOSURE OF BURDEN - Public reporting burden for the collection of information entitled "Post-Construction Elevation Certificate/Floodproofing Certificate" (FEMA Form 81-31 and 81-65) is estimated to average 12 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the forms. Send comments regarding the burden estimate or any aspect of the collection, including suggestions for reducing the burden, to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, S.W. 20472; and to the Office of Management and Budget, Paperwork Reduction Project (3067-0077), Washington, D.C. 20503.



NORTH SIDE (FRONT) LOOKING AT
EAST FRONT





ROAD SIDE "SOUTH" LOOKING NORTH ON EAST SIDE OF HOUSE.







SIANDING IN FRONT NORTH SIME LOOKING SCUIH WEST



STANDING ON LOT HO REAR (GOUTH) SIDE LOOKING WEST AT HOUSE ON LOT HY

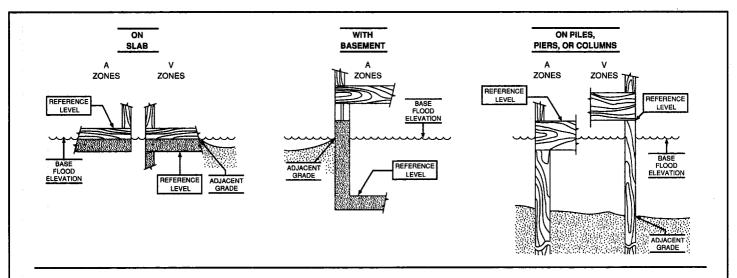
SECTION E CERTIFICATION

This certification is to be signed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1–A30, AE, AH, A (with BFE),V1–V30,VE, and V (with BFE) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information, may also sign the certification. In the case of Zones AO and A (without a FEMA or community issued BFE), a building official, a property owner, or an owner's representative may also sign the certification.

Reference level diagrams 6, 7 and 8 - Distinguishing Features—If the certifier is unable to certify to breakaway/non-breakaway wall, enclosure size, location of servicing equipment, area use, wall openings, or unfinished area Feature(s), then list the Feature(s) not included in the certification under Comments below. The diagram number, Section C, Item 1, must still be entered.

I certify that the information in Sections B and C on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

6 Au	inenkt,	E. Jowe	I, PE.	MD.	5642	•		
CERTIFIER'S NAME			LICENSE NUMBER (or Affix Seal)					
PRES	IDENT		NES AS	SOCIATES	CONSUL	TINC ENGI	WEERS	
TITLE	REAVERE	BANK CIR	COMPANY N	IAME OUSON	MD	21286		
ADDRESS	0		CITY	2/21	197	STATE 4/0-296	ZIP	
SIGNATURE	ye	7 / 7		DATE		PHONE		
Copies should be	made of this (Certificate for: 1) o	ommunity offic	cial, 2) insurance	e agent/comp	any, and 3) build	ing owner.	
COMMENTS:	BALTO	COUNT	1 MET	ROPOLITA	AN D	ISTRICT		
	BM.	DATL	IM L	SED.				
NOTE:	LOWEST	T GRAD	E ELE	EVATION) AD.	PACENT	70	
DWEL	LING	-		.C. M.D.				



The diagrams above illustrate the points at which the elevations should be measured in A Zones and V Zones.

Elevations for all A Zones should be measured at the top of the reference level floor.

Elevations for all V Zones should be measured at the bottom of the lowest horizontal structural member.

THE NATIONAL FLOOD INSURANCE PROGRAM ELEVATION CERTIFICATE

PURPOSE OF THE ELEVATION CERTIFICATE

The Elevation Certificate is an important administrative tool of the National Flood Insurance Program (NFIP).

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt a floodplain management ordinance containing certain minimum requirements intended to reduce future flood losses. One such requirement is that the community "obtain the elevation of the lowest floor (including basement) of all new and substantially improved structures, and maintain a record of all such information." The Elevation Certificate is one way for a community to comply with this requirement.

The Elevation Certificate is also required to properly rate post-FIRM structures, which are buildings constructed after publication of the Flood Insurance Rate Map (FIRM), for flood insurance in FIRM Zones A1-A30, AE, AO, AH, A (with Base Flood Elevations [BFE's]), V1-V30, VE, and V (with BFE's). In addition, the Elevation Certificate is also needed for pre-FIRM structures being rated under post-FIRM flood insurance rules.

Use of this certificate does not in any way alter the flood insurance purchase requirement. The Elevation Certificate is only used to provide information necessary to ensure compliance with applicable community floodplain management ordinances, to determine the proper flood insurance premium rate, and/or to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR). Only a LOMA or LOMR from the Federal Emergency Management Agency (FEMA) can amend the FIRM and remove the Federal requirement for a lending institution to require the purchase of flood insurance. Note that the lending institution may still require flood insurance.

This certificate is only used to certify the elevation of the reference level of a building. If a non-residential building is being floodproofed, then a Floodproofing Certificate must be completed in addition to certifying the building's elevation. Floodproofing of a residential building does not alter a community's floodplain management elevation requirements or affect the insurance rating unless the community has been issued an exception by FEMA to allow floodproofed residential basements.

INSTRUCTIONS FOR COMPLETING THE ELEVATION CERTIFICATE

The Elevation Certificate is to be completed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE's), V1-V30, VE, and V (with BFE's) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information may also complete this form. For Zones AO and A (without BFE's), a building official, a property owner, or an owner's representative may also provide the information on this certification.

SECTION A Property Information

The Elevation Certificate identifies the building, its owner and its location. Provide the building owner's name(s), the building's complete street address, and lot and block number. If the property address is a rural route or PO box number, provide a legal description or an abbreviated location description based on distance from a reference point.

SECTION B Flood Insurance Rate Map Information

In order to properly complete the Elevation Certificate, it is necessary to locate the building on the appropriate FIRM, and record the appropriate information. To obtain a FIRM, contact the community or call 1-800-333-1363.

The Elevation Certificate may be completed based on either the FIRM in effect at the time of the certification *or* the FIRM in effect when construction of the building was started.

Items 1 - 6. Using the FIRM Index and the appropriate FIRM panel for the community, record the community number, panel (or page) number, suffix, and Index date. From the appropriate FIRM panel, locate the property and record the zone and the BFE (or flood depth number) at the building site. BFE's are shown on a FIRM for Zones A1-A30, AE, AH, V1-V30, and VE; flood depth numbers are shown for Zone AO.

Item 7. Record the vertical datum system to which the elevations on the applicable FIRM are referenced. The datum is specified in the upper right corner of the title block of the FIRM.

Item 8. In A or V Zones where BFE's are not provided on the FIRM, the community may have established BFE's based on data from other sources. For subdivisions and other development greater than 50 lots or 5 acres, establishment of BFE's is required by community floodplain management ordinance. When this is the case, complete this item.

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INSTRUCTIONS

The following 8 diagrams contain descriptions of various types of buildings. Compare the features of your building with those shown in the diagrams and select the diagram most applicable. Indicate the diagram number on the Elevation Certificate (Section C, Item 1) and complete the Certificate. The reference level floor is that level of the building used for underwriting purposes.

NOTE: In all A Zones, the reference level is the top of the lowest floor; in V Zones the reference level is the bottom of the lowest horizontal structural member (see diagram on page 2). Agents should refer to the Flood Insurance Manual for instruction on lowest floor definition.

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ALL SINGLE AND MULTIPLE FLOOR BUILDINGS (OTHER THAN SPLIT LEVEL), INCLUDING MANUFACTURED (MOBILE) HOUSING AND HIGH RISE BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSE, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The first floor is *not* below ground level (grade) on *all* sides*. This includes "walkout" basements, where at least one side is at or above grade. (Not illustrated)

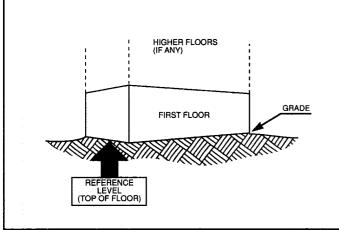


DIAGRAM NUMBER 2

ALL SINGLE AND MULTIPLE FLOOR BUILDINGS (OTHER THAN SPLIT LEVEL), INCLUDING MANUFACTURED (MOBILE) HOUSING AND HIGH RISE BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSES, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The first floor *or* basement (including an underground garage*) is below ground level (grade) on *all* sides*.

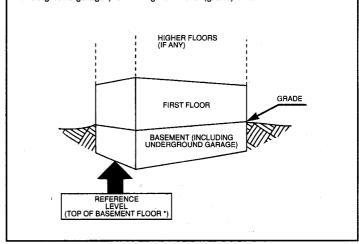


DIAGRAM NUMBER 3

ALL SPLIT LEVEL BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSES, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The lower level is *not* below ground level (grade) on *all* sides*. This includes "walkout" basements, where at least one side is at or above grade.

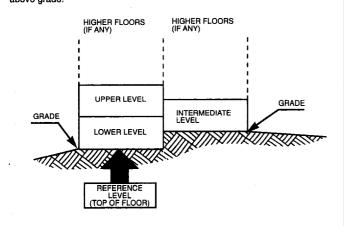
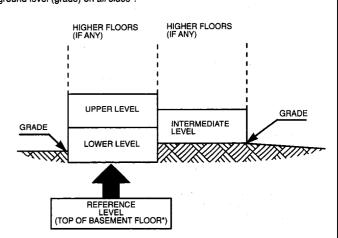


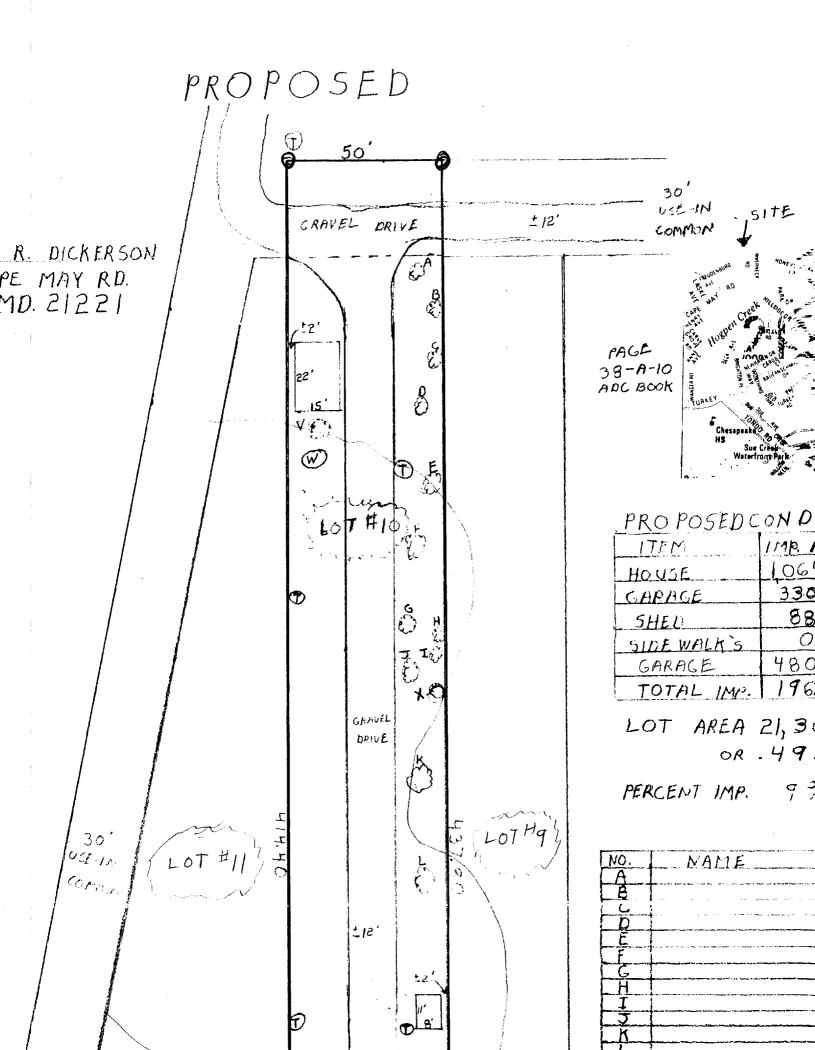
DIAGRAM NUMBER 4

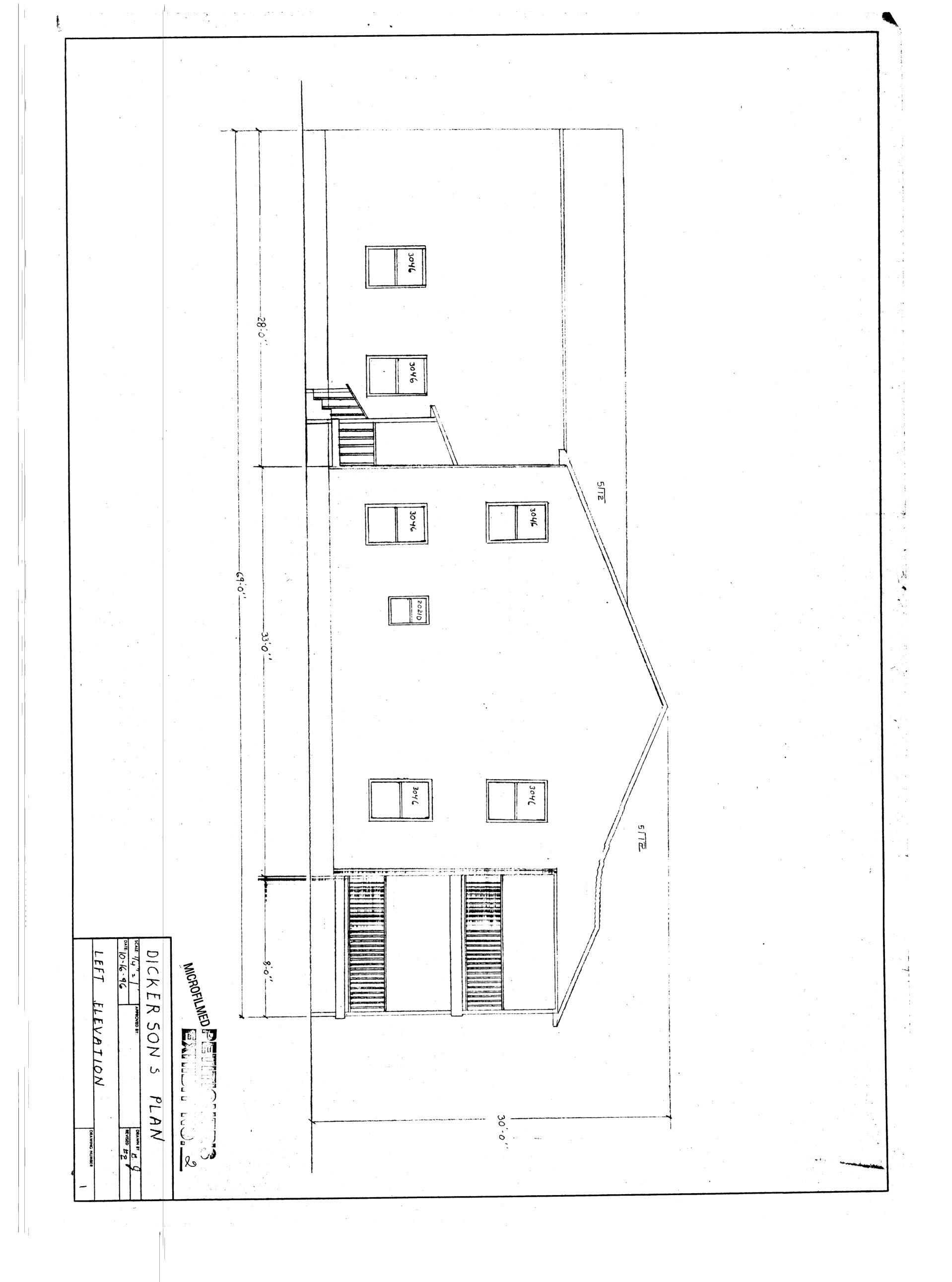
ALL SPLIT LEVEL BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSES, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The lower level (or intermediate level) is below ground level (grade) on all sides*.

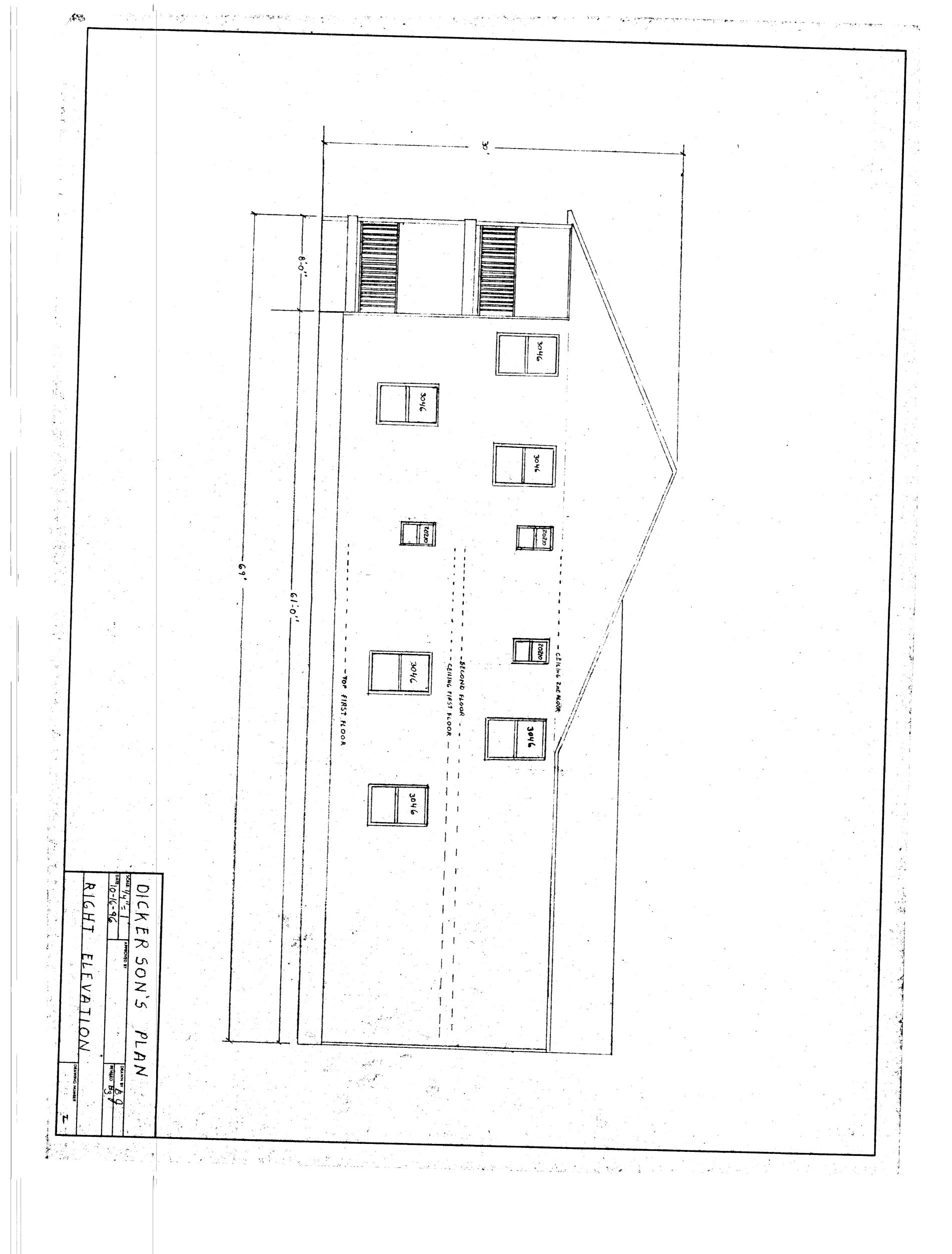


^{*} Under the National Flood Insurance Program's risk classification and insurance coverage, a floor that is below ground level (grade) on all sides is considered a basement even though the floor is used for living purposes, or as an office, garage, workshop, etc.

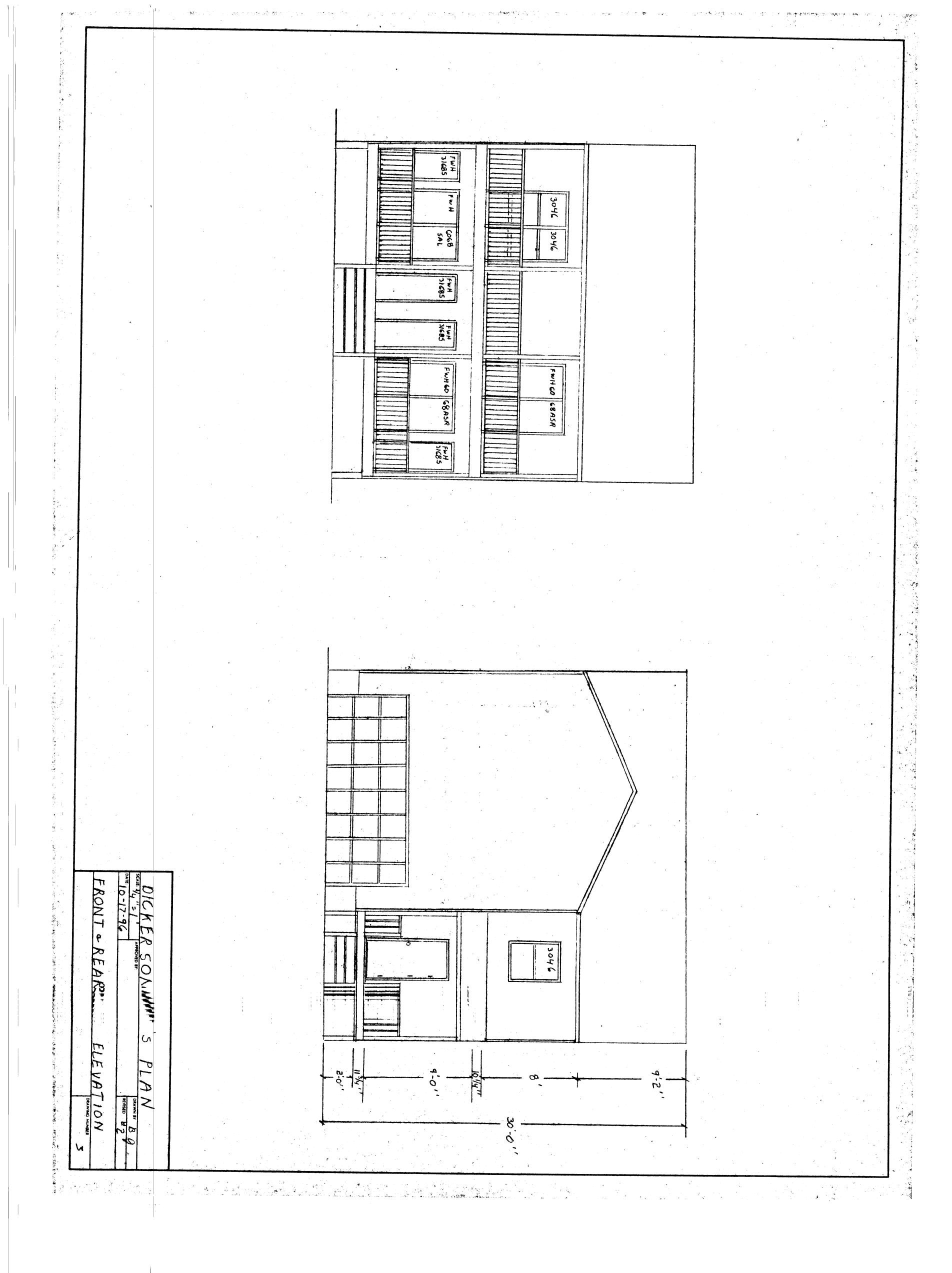


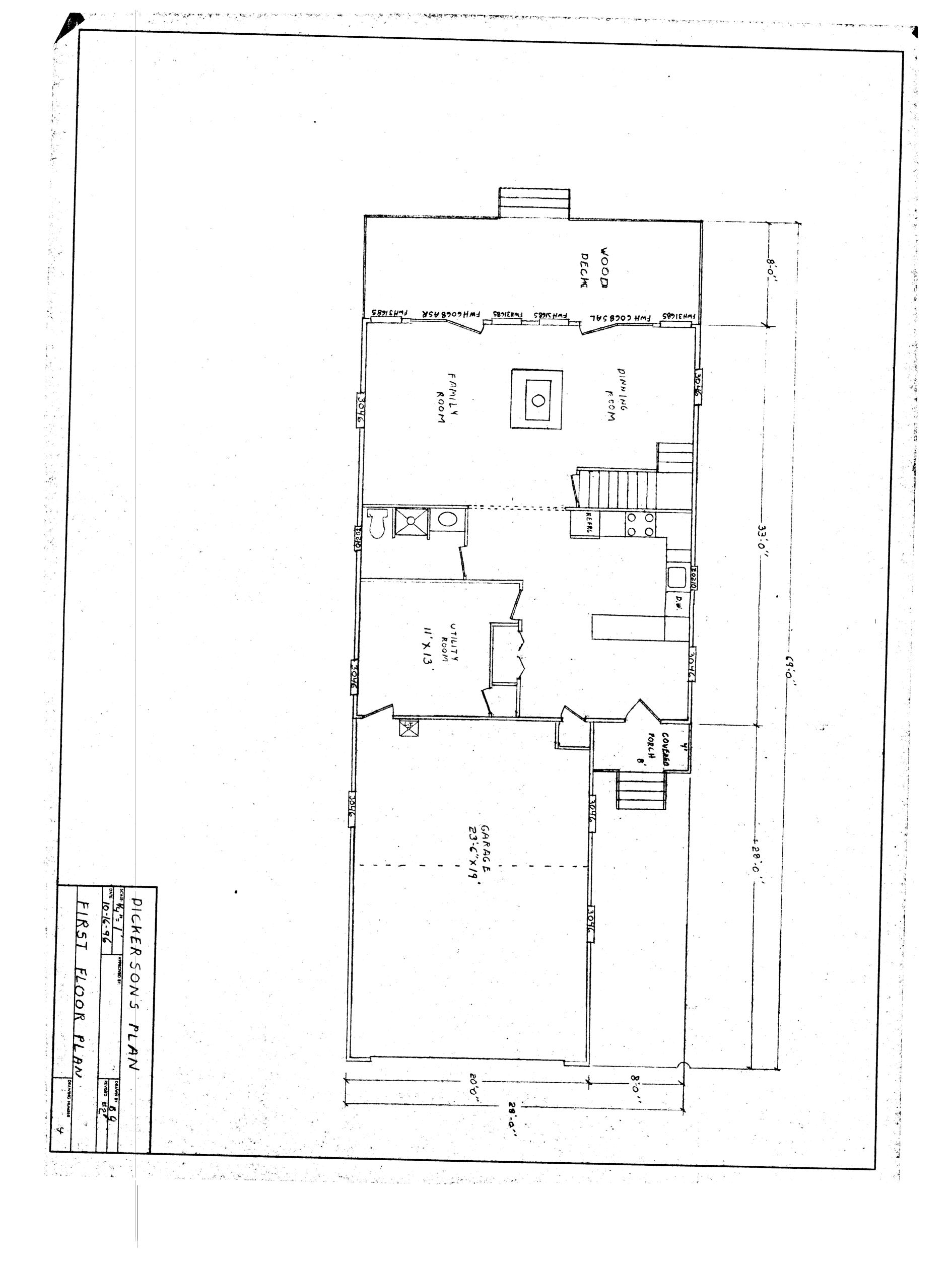


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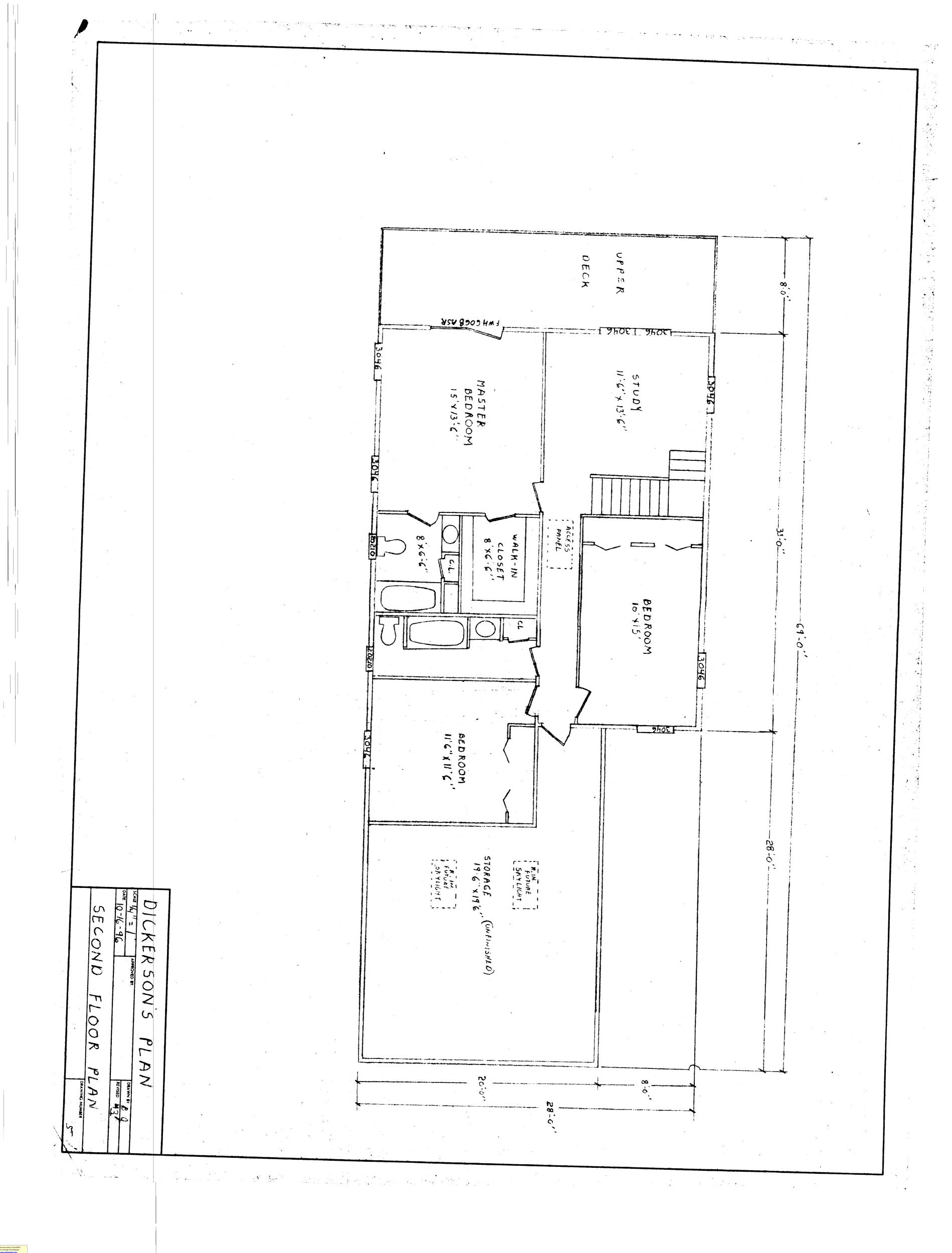


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